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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: BEXTRA AND CELEBREX  
MARKETING SALES PRACTICES AND  
PRODUCT LIABILITY LITIGATION

Case No.: 07-1469 CRB

MDL NO. 1699

District Judge: Charles R. Breyer

Michelle R. Sullivan, individually and on behalf  
of the heirs at law of Randy Sullivan, deceased,

Plaintiff,

vs.

Monsanto Company, et al.,

Defendants.

**STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE**

Come now the Plaintiff and Defendants in the above-entitled action, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorneys'

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1 fees and costs.  
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4 DATED: 11/16, 2010

By: 

**HOTTMAN & ASSOCIATES**  
7113 W. 135th Street, Suite 423  
Overland Park, KS 66223  
Telephone: (913) 262-4444

*Attorneys for Plaintiff*

9  
10 DATED: Dec. 2, 2010


By: 

**DLA PIPER LLP (US)**  
1251 Avenue of the Americas  
New York, New York 10020  
Telephone: (212) 335-4500  
Facsimile: (212) 335-4501

*Defendants' Liaison Counsel*

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18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**  
19 **IT IS SO ORDERED.**

20 Dated Dec. 10, 2010

  
Hon. Charles R. Breyer  
United States District Court